

1 Ronald L. Richman, SBN 139189
2 Susan J. Olson, SBN 152467
3 **BULLIVANT Houser Bailey PC**
4 235 Pine Street, Suite 1500
5 San Francisco, California 94104-2752
Telephone: 415.352.2700
Facsimile: 415.352.2701
E-Mail: ron.richman@bullivant.com
susan.olson@bullivant.com

6 || Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

11 BOARD OF TRUSTEES OF THE
12 LABORERS HEALTH AND WELFARE
13 TRUST FUND FOR NORTHERN
14 CALIFORNIA; BOARD OF TRUSTEES OF
15 THE LABORERS VACATION-HOLIDAY
16 TRUST FUND FOR NORTHERN
17 CALIFORNIA; BOARD OF TRUSTEES OF THE
LABORERS PENSION TRUST FUND
FOR NORTHERN CALIFORNIA; and
BOARD OF TRUSTEES OF THE
LABORERS TRAINING AND RETRAINING
TRUST FUND FOR NORTHERN
CALIFORNIA.

18 Plaintiff,

19

20 SPRINGLINE, INC., a California corporation;
21 MICHAEL CHARLES FREDENBURG, an
individual.

22 Defendants.

Case No.: 3:14-cv-05605-MEJ

CASE MANAGEMENT CONFERENCE STATEMENT; ORDER THEREON

Date: March 26, 2015
Time: 10:00 a.m.
Ctroom: B, 15th Floor
Hon. Maria-Elena James

24 Plaintiffs Laborers Trust Funds provide this case management statement

25 On December 23, 2014, Plaintiffs filed their Complaint for Damages for Breach of
26 Collective Bargaining Agreement, To Recover Unpaid Trust Fund Contributions, For Breach of
27 Fiduciary Duty and for a Mandatory Injunction (“Complaint”). On January 27, 2015, Waivers
28 of The Service of Summons on behalf of both Defendants were filed. See Document Nos. 7 and

1 8. Pursuant to each Waiver of The Service of Summons, responsive pleadings were due on or
2 before March 17, 2015.

3 After being advised Defendant Springline, Inc. filed for Ch. 7 Bankruptcy, on March 6,
4 2015, Plaintiffs filed a Notice of Ch. 7 Bankruptcy of Defendant Springline, Inc.; [Proposed]
5 Order to Stay Action. See Document No. 10. On March 6, 2015 this Court ordered the matter
6 stayed as to Defendant Springline, Inc. pending resolution of the bankruptcy proceeding. See
7 Document No. 11.

8 No responsive pleading has been filed on behalf of Defendant Michael Charles
9 Fredenburg. Plaintiffs Laborers Trust Funds intend to proceed in default against Defendant
10 Michael Charles Fredenburg.

11 Based on the fact that this action is stayed against Defendant Springline, Inc. and
12 Plaintiffs Laborers Trust Funds will proceed in default against Defendant Michael Charles
13 Fredenburg, Plaintiffs Laborers Trust Funds respectfully request that the case management
14 conference be continued for ninety (90) days to allow Plaintiffs Laborers Trust Funds time to
15 proceed in default, including a motion for default judgment.

16 | DATED: March 18, 2015

BULLIVANT Houser Bailey PC

By /s/ Ronald L. Richman
Ronald L. Richman

Attorneys for Plaintiffs

ORDER

Based on the Plaintiffs Laborers Trust Funds' request to continue the case management conference and good cause appearing,

IT IS HEREBY ORDERED that the March 26, 2015 case management conference be continued to June 25, 2015 at 10:00 a.m., Courtroom B, 15th Floor. If Plaintiffs Laborers Trust Funds have their motion for default judgment on file prior to the continued case management conference, the case management conference shall be vacated.

The CMC statement is due June 18, 2015.

DATED: March 19, 2015

By:

**HON. MARIA-ELENA JAMES
UNITED STATES MAGISTRATE JUDGE**

15467774.1